

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

DARNELLA A. LEE,

Plaintiff, *pro se*,

v.

**NEWARK PUBLIC SCHOOLS,
Defendant.**

06-CV-3552 (WJM)

ORDER

HON. WILLIAM J. MARTINI

This matter arises upon a Motion for Summary Judgment filed by Defendant Newark Public Schools; and Plaintiff Darnella Lee having filed no opposition; and the Court having reviewed all of the parties' submissions in this case; and Plaintiff having alleged in her Complaint that she received a Notice-of-Right-to Sue Letter ("Notice") from the Equal Employment Opportunity Commission on May 1, 2006; and Plaintiff having filed this action on August 1, 2006; and the Court having found that Plaintiff failed to file this action within ninety (90) days of receiving the Notice as required under 42 U.S.C. § 2000e-5(f)(1); and the Court noting that this statute of limitations is strictly construed; and Plaintiff having failed to provide any explanation for the delay in filing justifying a basis for equitable tolling, and therefore, the Court finding that dismissal of Plaintiff's Complaint is appropriate under *Burgh v. Borough Council of Borough of Montrose*, 251 F.3d 465, 470 (3d Cir. 2001); and for good cause having been shown,

IT IS on this 23rd day of June, 2008, hereby,

ORDERED that Defendant Newark Public Schools' Motion for Summary Judgment is granted; and it is

FURTHER ORDERED that Plaintiff Darnella A. Lee's Complaint is dismissed with prejudice.

s/William J. Martini
William J. Martini, U.S.D.J.